

CASE PROCESSING STANDARDS ANALYSIS JUVENILE - TERMINATION OF PARENTAL RIGHTS

National Center for State Courts Model Time Standards:

90% within 120 days after filing petition

98% within 180 days after filing petition

Measurement: Filing of motion/petition through termination of parental rights.

Arizona Juvenile – Termination of Parental Rights

The Arizona Case Processing Standards Steering Committee recommends that Arizona adopt the national model time standard as follows:

90% within 120 days

98% within 180 days

Measurement: Filing of Motion/Petition for Termination of Parental Rights through entry of dismissal or order of termination.

Arizona Rules and Statutes	Timelines under Statute and Rule
Motion/Petition Filed: Rule 64(A), ARJP ¹ A.R.S. ² § 8-862(D)(1) Rule 64(B), ARJP	<p><u>Motion for Termination of Parental Rights:</u> Motion to terminate parental rights should be filed within 10 days after the permanency hearing if the court finds that it is in the best interest of the child to terminate parental rights at the permanency hearing.</p> <p><u>Petition for Termination of Parental Rights:</u> If child is not a dependent child or is a dependent child who was the subject of a dependency petition filed prior to July 1, 1998, the petitioner shall file a petition for termination of parental rights, pursuant to A.R.S. § 8-534 and shall state whether a child is an Indian child as defined by the Child Welfare Act.</p>
Adjudication: Rule 65(B), ARJP A.R.S. § 8-862(D)(2) Rule 65(C)(6)(b), ARJP	<p style="text-align: center;">(Measurement Starts When Motion/Petition is Filed)</p> <p><u>Initial Termination Hearing:</u> If a motion for termination of parental rights is filed, the initial hearing must be held within 30 days of the permanency hearing.</p> <p>If a petition for termination was filed, the hearing shall be held no sooner than 10 days from the completion of service.</p> <p><u>Denial of allegations:</u> If parent, guardian or Indian custodian denies allegations in the motion for termination of parental rights, the court shall set the matter for trial within 90 days of the permanency hearing. The court may schedule a settlement conference, pretrial conference or mediation if appropriate.</p> <p>If a petition for termination was filed, the court may schedule</p>

¹ Arizona Rules of Juvenile Procedure

² Arizona Revised Statutes

Arizona Rules and Statutes	Timelines under Statute and Rule
Rule 66(B), ARJP	<p>mediation and shall set a pretrial conference or status conference.</p> <p><u>Termination Adjudication Hearing:</u> Hearing shall be held no later than 90 days after the permanency hearing. The court may continue the hearing beyond the 90-day time limit for a period of 30 days if necessary for the full, fair and proper presentation of evidence, and the best interests of the child will not be adversely affected. Any continuances beyond 30 days shall only be granted upon a finding of extraordinary circumstances.</p> <p>(Measurement Stops Here)</p>